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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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AMIN, TUROCY & CALVIN, LLP			EXAMINER	
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CLEVELAND, OH 44114			ART UNIT	PAPER NUMBER
			2174	
			NOTIFICATION DATE	DELIVERY MODE
			04/15/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10766,343

Applicant(s)

GARDING, PHILLIP D.

Examiner

BORIS PESIN

Art Unit

2174

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-11,13-16,18,19 and 25-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-11,13-16,18,19 and 25-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

This communication is responsive to the amendment filed 2/05/2009.

Claims 1, 4-11, 13-16, 18-19, and 25-29 are pending in this application. Claims 1, 13, and 16 are independent claims. In the amendment filed 2/05/2009, Claim 1 was amended. This action is made Non-Final.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1, 4, 6, 10-11, 13, 16, 18, 19, 25, 26, 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Clauss et al. (US 6363503) in view of Jenkins et al. (US 6002868) further in view of Rohall et al. (US 7392280)..

As per claim 1, Clauss discloses of a "computer-implemented interactive user messaging system comprising a processor coupled to a memory that retains; a receiver component that receives a message component corresponding to an event, the event includes at least one of an error, the message component includes a plurality of messages, each message from the plurality of messages relates to at least a part of the event, the message component hierarchically organizes the plurality of messages from a high level description of the event to a low level description of the event" (Clauss column 6, Lines 1-14, and Figures 4b and 5b (shows a plurality of messages for the component)); "each message of the plurality of messages comprises a context component that provides a user context regarding an operational source of the message and a rationale component that provides a reason for the message" (column 3 lines 38-41 and column 6 lines 7-13);

and a format component that formats a user interface employed to display messages in accordance with format information included in the messages component, the format information includes graphical objects and associated functionality that are to be available to a user. (See Column 6, Lines 1-24, Clauss provides a graphic object that provides more information about the error, furthermore, the data is formatted hierarchically).

Clauss does not specifically teach an assist component that provides a plurality of menu items corresponding to respective messages in the plurality of messages of the message component, each menu item includes a link to an informational source that provides at least on of information or a corrective action associated with the

corresponding message. Jenkins teaches an assist component that provides a plurality of menu items corresponding to respective messages in the plurality of messages of the message component, each menu item includes a link to an informational source that provides at least one of information or a corrective action associated with the corresponding message (See Column 8, Lines 34-39). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Clauss with the teachings of Jenkins and provide a corrective action for the errors with the motivation to provide the user with a more efficient method of figuring out how to resolve the errors because the user will not be forced to research the errors every time.

Clauss-Jenkins do not specifically teach a system wherein the corresponding message is highlighted as the user hovers on a respective menu item. Rohall teaches highlighting information as the user hovers on a respective menu item (Column 13, Line 56-Column 14 Line 2). It would have been obvious to one of ordinary skill in the art to modify Clauss-Jenkins with the teachings of Rohall and include a hovering mechanism that highlights information with the motivation to provide the user with an easier way of selecting information.

As per claim 4, the rejection of claim 1 is incorporated and Clauss further discloses "an advanced help component that provides technical information about events" by providing help information about the event (Clauss column 5 lines 43-47).

As per claim 6, the rejection of claim 1 is incorporated and Clauss further discloses "a message distribution component for capturing message text from a user

interface, the message distribution component provides the captured message text to designated application" by using an error log (Claus, Column 5, Lines 50-54).

As per claim 10, the rejection of claim 1 is incorporated and Claus further discloses "a command component that receives a command instruction from a user" by having buttons that allow user to perform certain actions (Claus column 5 line 43).

As per claim 11, the rejection of claim 10 is incorporated and Claus further discloses "command informs a client that a user desires to issue a particular command" by pressing a button (Claus column 5 line 43).

As per claim 13, claim 13 contains similar limitations as claim 1 and is rejected under the same rationale as set forth in connection with claim 1.

As per claim 16, claim 16 contains similar limitations as claim 1 and is rejected under the same rationale as set forth in connection with claim 1.

As per claim 18, the rejection of claim 16 is incorporated and claim 18 contains the same limitations as claim 15 and is rejected under the same rationale as set forth in connection with claim 15.

As per claim 19, the rejection of claim 16 is incorporated and Claus further discloses "menu items generate a query for a database" by getting more information about the error (Claus column 5 lines 44-45).

As per claim 25, the rejection of claim 16 is incorporated and Claus further discloses "a menu item includes a pointer to a corrective mechanism" by directing a user to an the source of the probelm (Claus column 6 lines 15-19).

As per claim 26, the rejection of claim 16 is incorporated and Clauss further discloses "the corrective action includes correcting an error" by showing the user where the error occurred so it is corrected (Clauss column 6 lines 15-19).

As per claim 28, the rejection of claim 21 is incorporated and claim 28 contains the same limitations as claim 6 and is rejected under the same rationale as set forth in connection with claim 6.

Claims 5 and 27 are rejected under 35 U.S.C. 103(a) as being obvious over Clauss-Jenkins-Rohall in view of Pangburn U.S. Patent Number 7152226 (hereinafter Pangburn).

As per claim 5, the rejection of claim 4 is incorporated but Clauss-Jenkins-Rohall does not disclose "the technical information is a stack trace." Pangburn discloses that a stack trace is used to debug a program (Column 7, Lines 64-67). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Clauss-Jenkins-Rohall with the teachings of Pangburn and include a stack trace with the motivation to make it easier for a user to debug an application when an error occurs.

As per claim 27, the rejection of claim 21 is incorporated and claim 27 contains the same limitations as claim 5 and is rejected under the same rationale as set forth in connection with claim 5.

Claims 7-8, 14, and 29 are rejected under 35 U.S.C. 103(a) as being obvious over Clauss-Jenkins-Rohall in view of Pittore U.S. Patent Number 6,414,699 (hereinafter Pittore).

As per claim 7, the rejection of claim 6, as discussed above, is incorporated but Clauss-Jenkins-Rohall does not disclose "message text is copied to a clipboard for further use by other applications". However, Pittore teaches "message text is copied to a clipboard for further use by other applications" by copying message text to a clipboard (Pittore column 4 lines 61-65).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the clipboard copying of Pittore with the message system of Clauss-Jenkins-Rohall. One of ordinary skill in the art would have been motivated to do so because having clipboard copying would allow for the ease of reuse of text (Pittore column 5 line 1).

As per claim 8, the rejection of claim 6 is incorporated but Clauss does not disclose "message text is copied to the body of a new email message". However, Pittore teaches "message text is copied to the body of a new email message" by taking message text and copying to a clipboard then enabling the copied information to be accessible to other applications [like email] (Pittore column 2 lines 2-6).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the message use on other applications of Pittore with the message system of Clauss. One with ordinary skill in the art would have been motivated to do so because it would allow for retention of data.

As per claim 14, the rejection of claim 13 is incorporated and claim 14 contains the same limitations as claim 7 and is rejected under the same rationale as set forth in connection with claim 7.

Claim 29 contains the same limitations as claim 8 and is rejected under the same rationale as set forth in connection with claim 8.

Claim 9 is rejected under 35 U.S.C. 103(a) as being obvious over Clauss-Jenkins-Rohall in view of Boulton et al. U.S. Patent Number 5,566,291 (hereinafter Boulton).

As per claim 9, the rejection of claim 1 is incorporated but Clauss-Jenkins-Rohall does not disclose "a feedback component that provides a message corresponding to an event to a developer or company database". However, Boulton teaches of "a feedback component that provides a message corresponding to an event to a developer or company database" by providing a feedback component to the user for developers (Boulton column 11 lines 25-30).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the feedback component of Boulton with the message system of Clauss-Jenkins-Rohall. One of ordinary skill in the art would have been motivated to do so because having a feedback component would allow for invaluable discovering of problems in a tested product, process or service (Boulton column 11 lines 31-34).

Claim 15 is rejected under 35 U.S.C. 103(a) as being obvious over Clauss-Jenkins-Rohall in view of Spellman et al. U.S. Patent Number 6667747 (hereinafter Spellman).

As per claim 15, the rejection of claim 13 is incorporated but Clauss-Jenkins-Rohall does not disclose "menu items are links to web pages containing specific information related to the message." Spellman teaches a method and apparatus for providing a hyperlink within a computer program that access information outside of the computer program by using the Internet (See Abstract and Column 8 Line 10). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Clauss-Jenkins-Rohall with the teachings of Spellman and include a method of linking to web pages with the motivation to provide the user with more up to date help information and more extensive array of information since the server can (most of the time) store more data on it than the client.

Response to Arguments

Applicant's arguments filed 2/05/2009 have been fully considered but they are not persuasive.

In regards to the Applicant's arguments that the prior art does not teach the newly added limitation, the Examiner respectfully disagrees. Clauss in column 6 lines

1-24 teaches that data is formatted and different graphical objects can be added to the error display and made available to the user.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BORIS PESIN whose telephone number is (571)272-4070. The examiner can normally be reached on Monday-Friday except every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Boris Pesin/
Primary Examiner, Art Unit 2174